

ASSEMBLY BILL

No. 823

**Introduced by Assembly Member Hill
(Coauthor: Assembly Member Nestande)**

February 26, 2009

An act to amend Section 44062.3 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 823, as introduced, Hill. Smog check: vehicle retirement.

Existing law establishes a motor vehicle inspection and maintenance (smog check) program, developed, implemented, and administered by the Department of Consumer Affairs. The duty of enforcing and administering the program is vested in the Chief of the Bureau of Automotive Repair within the department. The owner of a motor vehicle that has failed its most recent smog check inspection has the right to retire the vehicle from operation at a dismantler under contract with the Bureau of Automotive Repair, and the department is required to pay this person up to \$1,500, or more if cost effective.

This bill would increase this amount to \$2,000.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 44062.3 of the Health and Safety Code
- 2 is amended to read:
- 3 44062.3. The owner of a motor vehicle that has failed its most
- 4 recent smog check inspection may retire the vehicle from operation

1 at a dismantler under contract with the Bureau of Automotive
2 Repair. The department shall pay a person who retires his or her
3 vehicle under this section up to ~~one thousand five hundred dollars~~
4 ~~(\$1,500)~~ *two thousand dollars (\$2,000)*. The department may pay
5 an owner of a motor vehicle who elects to retire the vehicle more
6 than ~~one thousand five hundred dollars (\$1,500)~~ *two thousand*
7 *dollars (\$2,000)*, if the department determines that this payment
8 is cost effective.

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